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NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

BRAINTREE LABORATORIES, INC.,

Plaintiff,

v.

NOVEL LABORATORIES,

Defendant.

Civil Action No. 11-cv-1341 (PGS)

**ORDER**

The Court having held a bench trial on February 4, 5, 6, 8, 11 and 14, 2013 on the validity of U.S. Patent Number 6,946,149 ('149 Patent), and the Court having heard the testimony of witnesses, and considered the proposed findings of fact and conclusions of law submitted by the parties, and for the reasons set forth in its Opinion, and for good cause having been shown;

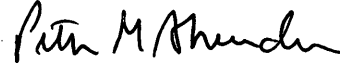
**IT IS** on the 4<sup>th</sup> day of June, 2013;

**ORDERED AND ADJUDGED** that:

1. There was no clear and convincing evidence that the asserted claims 15, 16, 18, 19, 20, and 23 of the '149 Patent are invalid as obvious.
2. There was no clear and convincing evidence that the asserted claims 15, 16, and 18 of the '149 Patent are invalid as anticipated.
3. There was no clear and convincing evidence that the asserted claims 15, 16, 18, 19, 20, and 23 of the '149 Patent are invalid on the grounds of indefiniteness.

4. The asserted claims 15, 16, 18, 19, 20, and 23 of the '149 Patent are valid.

The suit is dismissed with prejudice and without costs to either party.

A handwritten signature in black ink, appearing to read "Peter M. Sheridan".

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PETER G. SHERIDAN, U.S.D.J.

Dated: June 4, 2013